

REMARKS

In response to the Office Action mailed May 21, 2008, Applicant respectfully requests reconsideration. All of the issues raised in the Office Action have been carefully considered and are addressed herein.

Claims 1-10 were previously pending in this application. In this paper, claims 1-10 have been amended, and new claims 11-29 have been added. As a result, claims 1-29 are pending for examination, with claims 1, 16 and 22 being independent. No new matter has been added.

I. Rejections Under 35 U.S.C. §102

The Office Action rejected claims 1-4 and 6-10 (including independent claim 1) under 35 U.S.C. §102(e) as allegedly being anticipated by Vanderschuit (U.S. Patent Application Publication No. 2004/0264187). Applicants respectfully traverse these rejections to the extent they are maintained over the claims as amended herein.

A. Independent Claim 1

Applicant's independent claim 1 has been amended to incorporate some of the subject matter formerly recited in dependent claim 2. As amended, claim 1 is directed to a lighting unit, comprising a first light element formed as a conventional light source and including a second lamp cap, and a second light element. The second light element comprises a housing, a conventional lamp cap, and *a plurality of protruding elements extending outwardly from the housing, wherein the plurality of protruding elements bears a plurality of LEDs*. The second light element further comprises a fitting to fittingly receive the first light element, wherein the housing substantially surrounds the fitting (emphasis added). The first and the second light elements are removably attached via the fitting and the second lamp cap, and the fitting and the second lamp cap provide electrical and mechanical connection between the first and the second light elements.

Vanderschuit fails to disclose or suggest all the limitations of claim 1. In particular, Vanderschuit does not disclose or suggest "a plurality of protruding elements extending outwardly from the housing, the plurality of protruding elements bearing a plurality of LEDs," as recited in

amended claim 1. Since "protruding elements" originally were recited in dependent claim 2, Applicant's remarks below address the rejections of both claims 1 and 2.

B. Discussion of Vanderschuit

Vanderschuit describes a lighting device 10 that includes a base portion 12 for engaging a light socket 13 (Fig. 1; page 1, [0014]). The device 10 itself includes a socket 14 for receiving a light bulb 16, such as an incandescent, halogen or black light bulb (Fig. 1; page 1, [0014]). The device 10 is also provided with one or more light sources 18 coupled to the base portion 12 (Fig. 1; page 1, [0014]). In Vanderschuit, the base portion 12 is electrically connected to the device's socket 14 to apply electrical power from the light socket 13 to the light bulb 16 received within the device's socket 14. The base portion 12 can also be electrically connected to the light sources 18 to apply electrical power from the light socket 13 to the light sources 18.

Vanderschuit describes that the base portion 12 can be provided in a wide range of shapes (circular, rectangular, star-shaped, triangular, etc.) (page 2, [0021]). For example, the base portion 12 in FIG. 1 is cylindrical, the base portion 112 in FIG. 3 is triangularly shaped, and the base portion 612 in FIG. 9 is star-shaped (page 2, [0021]). However, in the reference, nowhere does Vanderschuit mention "a plurality of protruding elements extending outwardly from the housing, the plurality of protruding elements bearing a plurality of LEDs," as now recited in claim 1.

The Office Action asserts that Vanderschuit "teaches the lighting unit characterized in that the LED module is provided with a number of protruding elements 18, which are evenly distributed around a housing of the module, and that the protruding elements comprise a plurality of LEDs (Paragraph 28)" (Office Action, page 3, top). However, in the cited paragraph, Vanderschuit describes that the *light sources 18* include six (6) LEDs (emphasis added). Thus, Vanderschuit describes the light sources 18 disposed on base portion 12, and not protruding elements of any kind. The protruding elements recited in claim 1 extend outwardly from the housing and bear the plurality of LEDs; the protruding elements themselves are not LEDs. Again, nowhere in the reference does Vanderschuit even mention protruding elements.

In view of the foregoing, independent claim 1 patentably distinguishes over Vanderschuit and is in condition for allowance. Claims 2-10 depend from claim 1 and are allowable based at least upon their dependency. Therefore, the rejections of claims 1-10 as being allegedly anticipated by Vanderschuit should be withdrawn.

II. New Claims

New claims 11-29 have been added to further define Applicant's contribution to the art. New claims 11-15 depend from claim 1 and are allowable based at least upon their dependency.

A. New Independent Claim 16

New independent claim 16 recites, *inter alia*, that the second light element comprises a plurality of diffuser elements extending outwardly from the housing. These elements are similar to those recited in original dependent claim 5. Claim 5 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over Vanderschuit in view of U.S. Patent No. 5,749,646 ("Brittell"). For completeness, Applicant addresses below the rejection of dependent claim 5 in support of the patentability of new independent claim 16.

On page 4, the Office Action concedes that Vanderschuit fails to teach diffuser elements. The Office Action then alleges that Brittell teaches "the lighting unit characterized in that the housing comprises diffuser elements (46; Column 6, Lines 40-50)." Applicant respectfully disagrees.

Brittell is directed to a special effect electrical lamp assembly capable of emitting different colors of light at different times onto a plural number of distinct areas on the lamp or on objects some distance from the lamp (Abstract). Brittell describes, in connection with Fig. 1, an apparatus used to generate continually changing colored light that includes two units 40a and 40b of independently pulsing colored bulbs 52 (col. 6, lines 11-13). In the passage cited in the Office Action, Brittell describes a translucent membrane that serves to conceal the view of the flashing colored bulbs behind it and diffuses the resultant light to create a monochromatic color that smoothly changes to another monochromatic color (col. 6, lines 40-43). Brittell states that the light from one generating unit 40b is reflected off of a reflective surface 42 which may or may not

be completely opaque, and the blended resultant light from the other light generating unit 40a simultaneously colors a *translucent area 46* with another changing sequence of colors (emphasis added) (Fig. 2a; col. 6, lines 32-37). As can be clearly seen at least in Brittell's Figs. 2A, 3A, 5A and 6A, the translucent area 46, which is also referred to in Brittell as a translucent screen and a translucent surface, is different from a *plurality of diffuser elements extending outwardly from the housing* recited in amended claim 5 (emphasis added). For example, in Brittell's Fig. 3, the translucent screen 46 covers the entire front of the lamp (col. 6, lines 53-54). Similarly, in Fig. 8A, the front of the lamp is covered with a flat translucent surface 46 (col. 7, lines 64-65). Thus, Brittell describes a single translucent area covering the lamp. Nowhere in the reference does Brittell describe a *plurality of diffuser elements extending outwardly* from the housing (emphasis added).

On page 4, the Office Action alleges that "it would have been obvious and advantageous to one of ordinary skill in the art at the time of the invention to modify and reconstruct the lighting unit of Vanderschuit by adding the diffuser from the teachings of Brittell because a diffuser "conceals the view of the flashing colored bulbs behind it and diffuses the resultant light creating a monochromatic color changing to another monochromatic color" (Brittell; Column 6, lines 40-50)." However, as shown, for example, on Figs. 3A and 3B of the present specification, the diffuser elements recited in claim 5 are different from the translucent screen of Brittell. Moreover, it is not clear how one of skill in the art would obtain a plurality of diffuser elements extending outwardly from the housing by combining Brittell's translucent screen that covers the entire front of the lamp with the lighting unit of Vanderschuit, as suggested in the Office Action. Therefore, the combination of Vanderschuit and Brittell is improper and in any case fails to teach or suggest a plurality of diffuser elements.

In view of the foregoing, new claim 16 patentably distinguishes over Vanderschuit and Brittell, either alone or in combination, and is in condition for allowance. Claims 17-21 depend from claim 16 and are allowable based at least upon their dependency.

B. New Independent Claim 22

New independent claim 22 recites, *inter alia*, that the second light element comprises a plurality of rotating means extending outwardly from the housing. Dependent claim 4, as originally filed, recites that the protruding elements can rotate around the rotational axis with respect to the housing. The Office Action rejected claim 4 and alleged, on page 3, that Vanderschuit taught limitations of claim 4 in paragraph 15. However, in the cited passage, Vanderschuit merely discusses that the base portion 12 includes a threaded extension 20 adapted to threadedly engage the threaded portion 22 of the light socket 13. The device's socket 14 includes a threaded portion 30 adapted to threadedly engage the threaded stem 32 of the light bulb 16. Vanderschuit also states that other suitable methods for engaging the device's socket 14 with the light bulb 16 are possible, including the use of bayonets or lugs which are commonly employed with direct current (DC) environments.

With respect to this passage, it is not clear from the Office Action which element(s) constitute rotating means. Neither the threaded extension 20 adapted to threadedly engage the threaded portion 22, nor a threaded portion 30 adapted to threadedly engage the threaded stem 32, can be described as protruding elements that can rotate around a rotational axis. Even if screwing and unscrewing of one threaded element to engage it with another threaded element is considered "rotation," new claim 22 recites a plurality of rotating means *extending outwardly from the housing* (emphasis added). Nowhere in the reference does Vanderschuit teach or suggest such rotating means.

In view of the foregoing, new claim 22 patentably distinguishes over Vanderschuit and is in condition for allowance. Claims 23-29 depend from claim 22 and are allowable based at least upon their dependency.

III. General Comments on Rejections of Dependent Claims

Since each of the dependent claims depends from a base claim that is believed to be in condition for allowance, Applicants believe that it is unnecessary at this time to argue the allowability of each of the dependent claims individually. Applicants do not, however, necessarily concur with the interpretation of any dependent claim as set forth in the Office Action, nor do Applicants concur that the basis for the rejection of any dependent claim is proper. Therefore, Applicants reserve the right to specifically address the patentability of the dependent claims in the future, if deemed necessary.

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment set forth in the Office Action does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Furthermore, nothing in this paper should be construed as intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify any concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' representative at the telephone number indicated below to discuss any outstanding issues relating to the allowability of the application.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, please charge any deficiency to Deposit Account No. 14/1270, under Docket No. NL040126US1.

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Respectfully submitted,



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